| 2 3 4 5 6 7 8 9 10 11 12 | | MER TELECOM & DISTRICT COURT |
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| | NORTHERN DISTRICT OF CALIFORNIA | |
| 14 | SAN FRANCISCO DIVISION | |
| 15 | PIERS BLEWITT, on behalf of himself and all others similarly situated, | Case No. 3:17-cv-1275-WHO |
| 16 | | JOINT STIPULATION AND |
| 17 18 | Plaintiff, | ORDER CONTINUING THE HEARING DATE ON NCTUE'S |
| | V. | MOTION FOR SUMMARY JUDGMENT |
| 19 | NATIONAL CONSUMER TELECOM & UTILITIES EXCHANGE, INC., | |
| 20 | Defendant. | |
| 21 | 2 cremain. | |
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| 28 | STIP. CONTINUING HEARING DATE | CASE No. 3:17-CV-1275-WHO |

JOINT STIPULATION AND PROPOSED ORDER

| Through their respective counsel, and pursuant to Local Rules 6-2 and 7-12, Plaintiff |
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| Piers Blewett and Defendant National Consumer Telecom & Utilities Exchange, Inc. |
| ("NCTUE") submit this stipulated request for an order changing time. |

WHEREAS, the Court previously ordered that any motions for summary judgment be heard on November 14, 2018 at 2:00 PM;

WHEREAS, NCTUE filed a Motion for Summary Judgment on September 19, 2018; WHEREAS, the Plaintiff filed a brief opposing NCTUE's Motion for Summary Judgment on October 3, 2018;

WHEREAS, the Court granted the parties' joint request that the deadline for NCTUE to file its reply brief be extended by seven days until October 17, 2018;

WHEREAS, NCTUE filed a reply brief in support of its motion for summary judgment on October 17, 2018; and

WHEREAS, the parties are currently engaged in worthwhile settlement discussions that both parties are hopeful will bear fruit if given more time;

The parties stipulate through respective counsel, subject to the approval of the Court, that the hearing date for NCTUE's motion for summary judgment be continued until January 23, 2019 at 2:00 PM.

With apologies to the Court for any inconvenience, the parties also respectfully request relief from the requirement in Local Rule 6-1(b) that "[a]ny stipulated request or motion which affects a hearing or proceeding on the Court's calendar must be filed no later than 14 days before the scheduled event."

| 1 | Dated: November 5, 2018 | Respectfully submitted, |
|----|-----------------------------------|--|
| 2 | | KING & SPALDING LLP |
| 3 | | /s/ |
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| 7 | | Attorney for Defendant National Consumer |
| 8 | | Telecom & Utilities Exchange, Inc. |
| 9 | | |
| 10 | | FRANCIS & MAILMAN, P.C. |
| 11 | | /s/ |
| | | John Soumilas (admitted pro hac vice) |
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| | | jsoumilas@consumerlawfirm.com |
| 15 | | |
| 16 | | Attorney for Plaintiff Piers Blewett |
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| 18 | PURSUANT TO STIPULATION, IT IS SO | ORDERED. |
| 19 | Dated: November 8 . 2018 | W. MOO |
| 20 | Dated: November 8, 2018 | The Honorable William H. Orrick |
| 21 | | U.S. District Court Judge, Northern District of California |
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CASE No. 3:17-CV-1275-WHO

STIP. CONTINUING HEARING DATE